

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

Mark L. Pereguoy

Plaintiff.

v.

State of Maryland, Carroll County,
Maryland and Kenneth L.
Tregoning, Carroll County Sheriff

Defendants.

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CIVIL ACTION NO.:
MJG02CV4165


AFFIDAVIT OF KIMBERLY MILLENDER

1. I am over the age of 18 years.
2. I am competent to testify. I am presently the County Attorney for Carroll County, Maryland.
3. In November of 2000, at the request of Sheriff Kenneth L. Tregoning, I began an investigation into a race discrimination complaint filed by Lt. Salvatore Brown, a deputy Sheriff in the Carroll County Detention Center. At the time, I was employed by Carroll County as an Assistant County Attorney.
4. During the course of my investigation, I interviewed a number of detention center employees, including Lt. Brown and Captain Mark Peregoy. I conducted Captain Peregoy's interview on November 6, 2000.
5. During that interview, Captain Peregoy indicated that he had had a conversation with Lt. Brown regarding allegations of race discrimination that Lt. Brown had made against Warden George Hardinger. Among some of the allegations were the following: (1) Warden Hardinger, on one occasion, yelled at Lt. Brown in front of

other officers; (2) he used a racial slur during a private conversation with Lt. Brown; (3) he stated he wished Lt. Brown would take a one year sabbatical; and (4) he stated he had a "stack of reports" on Lt. Brown, referring to complaints against Lt. Brown regarding alleged mistreatment of inmates.

6. During our interview, Captain Peregoy stated he did not personally hear Warden Hardinger use any racist terms but was only repeating Lt. Brown's allegations. Captain Peregoy, however, did state that Warden Hardinger discussed the incident with him several months after it occurred and that he felt like the Warden wanted to explain himself.
7. Captain Peregoy told me he was not aware of any racial problems at the detention center. Instead, he said he believed Warden Hardinger was unhappy with how Lt. Brown treats inmates and how Lt. Brown handles and supervises officers on his shift. In this regard, Peregoy stated he disagreed with the Warden's new philosophy of handling inmates and, if he were in Lt. Brown's position, Captain Peregoy stated he would perform his job the same way as Lt. Brown. Captain Peregoy told me the Warden has a different philosophy on corrections than what was in place before Warden Hardinger was hired.
8. After speaking to Captain Peregoy and many others, I concluded my investigation on November 27, 2000. The following day, I sent a memorandum to Sheriff Tregoning, attached herein as Exhibit 2. The memorandum was the final written communication I had with Sheriff Tregoning regarding the substance of my investigation. Between November 28, 2000, and the time Captain Peregoy resigned, other than my memo, I had no communication with the Sheriff regarding Mark Peregoy's participation in the investigation into Salvatore Brown's race discrimination complaint.

**I HEREBY DECLARE OR AFFIRM UNDER THE PENALTIES OF PERJURY
THAT THE CONTENTS OF THE FOREGOING AFFIDAVIT ARE TRUE AND
CORRECT BASED UPON MY PERSONAL KNOWLEDGE.**


KIMBERLY MILLENDER
COUNTY ATTORNEY, CARROLL
COUNTY